II. REMARKS

This paper is submitted in reply to the Notice of Non-Compliant Amendment issued in reply filed to the response filed on May 25, 2005. The Office did not enter the Amendment on the ground that it did not follow the form requirements of amended 37 C.F.R. § 1.121. The Office advised that submission of the non-compliant section of the Amendment will obviate the grounds for the Notice. In view of the above listing of the claims, entry of the Amendment filed on May 25, 2004 by the Applicants is respectfully requested.

No fee is considered necessary in connection with the filing of this Reply. However, should the Patent Office determine that an extension and/or other relief is required. Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 50-2518**, referencing attorney docket no. <u>7008268002</u>. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

If telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned at (650) 849-4950.

DATE: June 9, 2005

Respectfully submitted,

Antoinette F. Konski
Registration No.: 34.20

Registration No.: 34,202

Bingham McCutchen, LLP
Three Embarcadero Center, Suite 1800
San Francisco, California 94111
Telephone: (650) 849-4950

Telefax: (650) 849-4800